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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/025,133	02/17/1998	KOJI FUKUNAGA	862.2136	9220
5514	7590	12/18/2003		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
			EXAMINER ELAMIN, ABDELMONIEM I	
			ART UNIT 2182	PAPER NUMBER 31

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/025,133

Applicant(s)
Fukunaga et al

Examiner
Abdelmoniem Elamin

Art Unit
2182



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 30, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-13, 15-18, 20-23, 25-37, and 39-51 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5-12, 16, 17, 21, 22, 25-37, and 39-51 is/are rejected.
- 7) ☒ Claim(s) 2, 4, 13, 15, 18, 20, and 23 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3,27-31 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims *1, 5-12, 16-17, 21-22, 25-37 and 39-51* are rejected under 35 U.S.C. 103(a) as being unpatentable over Kosugi, Japanese Pat. No. 62-129654 (*cited by Applicant, paper no. 23*) in view of Clark, GB. Pat. No. 2255877 (*cited in a previous office action, paper #19*).

3. Claims *1, 10, 11, 12, 17, 22, 25, 34, 35, 36, 41, 46, 50 and 51*, Kosugi teaches a data transmission method for host and target devices connected by a serial bus [*Fig. 1*], said method comprises the steps of :

selectively setting a data transfer method to be performed from a plurality of data transfer methods including a synchronous and a synchronous transfer methods [*see page 1 of the translation of Kosugi, lines 15-25*];

wherein the data transfer method is set by the host device in accordance with the data transfer method set in the target device [*see page 1 of the translation of Kosugi, lines 25-27*].

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The translation of Kosugi does not provide any information about how the method, used by the destination information processing unit, is determined.

Clark teaches performing bi-directional communication between a terminal device [*computer 1 of Fig. 1*] and a target device [*2 of Fig. 1*] to retrieve interface configuration information stored at the target device [*see Fig. 1, page 7, lines 1-14, page 8, lines 1-13*]. The terminal device then makes use of this information to match the configuration of the interface of the target device [*page 8, lines 9-13*].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of combine Kosugi and Clark, because this would allow the host device to set its transfer method in the desired format prior to communicating with the target device.

4. As to claims 5, 29, Kosugi fails to teach the serial bus is based on IEEE 1394 standards.

Official Notice is taken that both the concept and the advantages of IEEE 1394 bus system is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kosugi to have the serial bus being based on an IEEE 1394 standard, because it provides a high-speed inexpensive serial bus architecture which supports both asynchronous and isochronous format data transfers, thereby providing a universal input/output connection for interconnecting digital devices including, for example, audio-visual equipment and personal computers.

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5. Claims 6 and 30, Kosugi fails to teach a USB bus.

Official Notice is taken that both the concept and the advantages of USB bus is old and well known and in the art

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Kosugi to a USB bus, because of its convenience, low cost, simplicity, expandability and support for data exchange between a host computer and a wide range of simultaneously accessible peripherals, and capability of operating at a transmission rate faster than conventional serial links (*because USB connectors employ a two signal differential communication scheme*).

6. As to claims 7, 16 31 and 40, it is a matter of design choice to have the host provides image data.

7. As to claims 8, 21, 32 and 45, it is a matter of design choice to have the target device to form a visible image, based on the image data, on a print medium.

8. As to claims 9 and 33, it is a matter of design choice to have the target device storing the image data into a storage medium.

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9. As to claims 26, 37, 42 and 47, it is well known in the art to have a PUSH buffer model in which the host device writes data into the target device and a PULL buffer model in which said target device reads data from said host device¹.

10. As to claims 27, 28, 39, 43, 44, 48 & 49 Clark teaches the host device sets the data transfer method corresponding to the target device, based on the procedure signal [*abstract, pages 2-4*].

Allowable Subject Matter

11. Claims 2, 4, 13, 15, 18, 20 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelmoniem I. Elamin whose telephone number is (703) 305-3804. The examiner can normally be reached Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (703)308-3301.

Any inquiry of a general nature relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-3900.

¹ See Merley, previously cited reference, [col. 3, lines 40-44, col. 18, lines 64,65].

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Hand-delivered responses should be brought to:

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Respectfully Submitted

Abdelmoniem I. Elamin

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December 15, 2003